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NO JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

ARNOLD FRANK,	)	Case No. EDCV 12-01248 DDP (SHx)
	)	
Plaintiff,	)	<b>ORDER GRANTING DEFENDANT'S MOTION</b>
	)	<b>TO DISMISS COMPLAINT'S THIRD</b>
v.	)	<b>CAUSE OF ACTION</b>
	)	
CHASE BANK USA NATIONAL	)	[Docket No. 6]
ASSOCIATION,	)	
	)	
Defendant.	)	
	)	
_____	)	

Presently before the court is Defendant's Motion to Dismiss Third Cause of Action of Complaint ("Motion"). Because Plaintiff has not filed an opposition, the court GRANTS the Motion.

Central District of California Local Rule 7-9 requires an opposing party to file an opposition to any motion at least twenty-one (21) days prior to the date designated for hearing the motion. Additionally, Local Rule 7-12 provides that "[t]he failure to file any required document, or the failure to file it within the deadline, may be deemed consent to the granting or denial of the motion."

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1 The hearing on Defendant's Motion was set for September 10,  
2 2012. Plaintiff's opposition was therefore due by August 20, 2012.  
3 As of the date of this Order, Plaintiff has not filed an  
4 opposition, or any other filing that could be construed as a  
5 request for a continuance. Accordingly, the court deems  
6 Plaintiff's failure to oppose as consent to granting the Motion,  
7 and GRANTS the Motion. The third cause of action of Plaintiff's  
8 Complaint is dismissed.

9  
10 IT IS SO ORDERED.

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13 Dated: September 5, 2012

  
DEAN D. PREGERSON  
United States District Judge